

☐ INITIAL APPEARANCE
☐ BOND HEARING
☐ DETENTION HEARING
☒ PRELIMINARY EXAMINATION
☐ REMOVAL HEARING (R.40)
☐ ARRAIGNMENT

DATE: April 24, 2006

Digital Recording 4:10 - 4:16 and
4:40 - 4:56

PRESIDING MAG. JUDGE: Susan Russ Walker DEPUTY CLERK: Joyce Taylor

CASE NO. 3:06mj37-SRW

DEFENDANT NAME: Octavious Bryant

AUSA: David Cooke

DEFT. ATTY: Patricia Kemp

Type Counsel: () Retained; () CJA; () Waived; (☒) FPD

USPO/USPTS: Ron Thweatt

Interpreter needed: (☒) NO; () YES Name:

☐ Date of Arrest or ☐ Arrest Rule 40
☐ Deft First Appearance. Advised of rights/charges. ☐ Prob/Sup Rel Violator
☐ Financial Affidavit executed. ORAL MOTION for appointment of Counsel.
☐ ORAL ORDER appointing Federal Public Defender - Notice of Appearance to be filed
☐ Panel Attorney Appointed; ☐ to be appointed - prepare voucher
☐ Deft. Advises he will retain counsel. Has retained _____
☐ ☐ Government's ORAL Motion for Detention Hrg. ☐ to be followed by written motion; ☐ Government's WRITTEN Motion for Detention Hrg. filed
☒ Preliminary Examination held
☐ ORDER OF TEMPORARY DETENTION PENDING HEARING to be entered
☐ ORDER OF DETENTION HEARING PENDING TRIAL to be entered
☐ Release order entered. Deft advised of conditions of release
☐ ☐ BOND EXECUTED (M/D AL charges) \$. Deft released
☐ ☐ BOND EXECUTED (R. 40) - deft to report to originating district as ordered
☒ Bond not executed. Defendant to remain in Marshal's custody
☐ Deft. ORDERED REMOVED to originating district
☐ Waiver of ☐ preliminary hearing; ☐ Waiver Rule 40 hearing
☒ Court finds PROBABLE CAUSE. Defendant bound over for further proceedings
☐ ARRAIGNMENT ☐ HELD. Plea of NOT GUILTY entered. ☐ Set for
DISCOVERY DISCLOSURE DATE:
☐ WAIVER of Speedy Trial. CRIMINAL TERM:
☐ NOTICE to retained Criminal Defense Attorney handed to counsel

CONTINUATION OF PROCEEDINGS:

4:10 p.m. Court convenes
Court's questions to Mr. Cooke as to why government was not aware of this proceeding.
Mr. Cooke's statements to the court.

4:12 p.m. Ms. Kemp's oral waiver of detention hearing as detainer has been filed.
Mr. Cooke's motion for continuance of preliminary examination as government's agent is not present and was not notified of proceeding.
Court will issue order granting motion for continuance.

4:14 p.m. Ms. Kemp's withdraws waiver of detention hearing and wants it reset with preliminary examination.
Court will reset preliminary examination and detention hearing by order.

4:16 p.m. Court recessed.
Court has been advised that agent has been contacted and is on his way.

4:40 p.m. Court reconvenes.
Court's questions regarding detention hearing. Ms. Kemp's ORAL waiver of detention hearing.
Testimony begins.
Government's direct examination. (Jackson)

4:46 p.m. Ms. Kemp's cross-examination (Jackson)

4:49 p.m. Court's questions to witness (Jackson)

4:54 p.m. Government's re-direct examination (Jackson)

4:55 p.m. Ms. Kemp's re-cross examination (Jackson)

4:56 p.m. Government rests.
Defendant rests.

4:56 p.m. Court finds probable cause and binds defendant over for further proceedings.
Court recessed.